

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED *[Signature]*
SEP 22 2006
JOHN F. CORCORAN, CLERK
BY: *[Signature]*
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BRIAN C. JONES, SR.,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

)
) Civil Action No. 7:06CV00532
)

) **FINAL ORDER**
) **MEMORANDUM OPINION**
)

) By: Hon. Jackson L. Kiser
) Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is now

ORDERED

that the above-referenced civil action, construed by the court as a petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED** without prejudice and stricken from the active docket of the court. Any pending motions are **DENIED** as **MOOT**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner.

ENTER: This 22nd day of September, 2006.

[Signature]
Senior United States District Judge